

16152 U.S. PTO
033004

Attorney Docket No. UCIVN-033C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------------------------------|---|-----------|------------------|
| In re Application of: |) | | |
| Overman, et al. |) | Art Unit: | To Be Determined |
| |) | | |
| Application No.: To Be Determined |) | Examiner: | To Be Determined |
| |) | | |
| Filed: Herewith, March 30, 2004 |) | | |
| |) | | |
| For: Hexahydropyrollo[1,2-C] |) | | |
| Pyrimidines as Antiviral, Antifungal |) | | |
| and/or Antitumor Agents |) | | |

17548 U.S. PTO
10/815023
033004

Transmittal of a Continuation Utility Patent Application

Express Mail mailing label no. EV 220346125 US

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Hexahydropyrollo[1,2-C] Pyrimidines as Antiviral, Antifungal and/or Antitumor Agents":.

- ☒ In accordance with Rule 136, the Commissioner is hereby petitioned for a **three (3)** month extension of time, extending to **March 30, 2004** the period for response to the Office action, dated **September 30, 2003** Check No. 3378 for \$860.00 (\$475.00 for extension fees and \$385.00 for basic filing fees) is enclosed.
- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) is a continuation of application Serial No. 10/018,630, filed December 14, 2001, international patent application Serial No. PCT/US00/18395, filed June 30, 2000, provisional patent application Serial No. 60/142,027, filed June 30, 1999 and provisional patent application Serial No. 60/142,028, filed June 30, 1999. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

- ☒ A true copy of the following are enclosed:
- ☒ the prior application as filed, including all 212 pages of specifications (including 129 pages of written description; 20 pages of claims (Claims 1-46); 1 page of Abstract) and 62 sheets of Figures (Fig. 1-62); and
 - ☒ the declaration of inventorship showing the signatures or an indication it was signed.
- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: -This is a continuation of application Serial No. 10/018,630, filed December 14, 2001, international patent application Serial No. PCT/US00/18395, filed June 30, 2000, provisional patent application Serial No. 60/142,027, filed June 30, 1999 and provisional patent application Serial No. 60/142,028, filed June 30, 1999.--.
- ☒ Please amend the claims by canceling claims 4 through 46. Applicant will file a subsequent preliminary amendment presenting new claims for prosecution at a later date.
- ☒ Check No. 3378 covering the filing fee in the amount of \$860.00 (\$475.00 for extension fees and \$385.00 for basic filing fees) accompanies this application, calculated as follows:

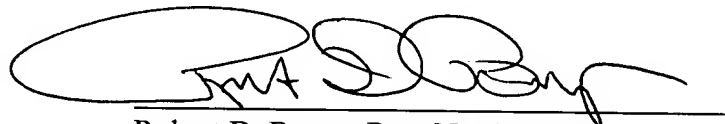
| | (Col. 1) No. Filed | (Col. 2) No. extra | Small entity Rate | Fee | Or | Other than a Small entity Rate | Fee |
|---------------------------------------|-----------------------|-----------------------|----------------------|--------|----|--------------------------------------|-----|
| For Basic fee | | | | \$ 385 | Or | | \$ |
| Total claims | 3 | - 20 = 0 | x 9 | \$ 0 | Or | x 18 | \$ |
| Indep claims | 3 | - 3 = 0 | x 43 | \$ | Or | x 78 | \$ |
| _ Multiple dependent claims presented | | | + 130 | \$ | Or | + 260 | \$ |
| | | | Total | \$ 385 | Or | Total | \$ |

- ☒ An Assignment of the invention to The Regents of the University of California was previously recorded in the parent application Serial No. 10/018,630 on Reel 012639/ Frames 0226 on December 14, 2004.

- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☐ _____() sheets of formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.
- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: March 30, 2004


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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on March 30, 2004 and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 30, 2004

By: 
Francine Sanders, Assistant

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